

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE SOUTHERN DISTRICT OF TEXAS**  
**HOUSTON DIVISION**

CAITLIN WEATHERS

*Plaintiff*

v.

CIVIL ACTION NO. 4:22-cv-04085

HOUSTON METHODIST HOSPITAL, ET. AL.,

*Defendants*

**MOTION TO STRIKE**

**IN OPPOSITION TO DEFENDANT HOUSTON METHODIST HOSPITAL, Et. Al.'s  
LETTER REQUESTING DISCOVERY CONFERENCE**

The defendant's letter to the court is improper and should be stricken. The defendant's letter is an improper ex-parte communication that undermines the integrity of the court's order. The Court should disregard the letter and treat the deemed admissions as the final determination of these facts.

Objections to the defendant's letter under FRCP 12 include:

**Irrelevance:** The letter contents do not contribute to the factual or legal issues at hand. Defendants still have not responded to Weathers' requests for production, but feel that they are entitled to Plaintiffs' depositions before both their responses and to reciprocity to give a date and time as to when they will be deposed.

**Hearsay:** The letter contains statements made out of court that are being offered to prove the truth of the matter asserted, and the declarant has not agreed to make themselves available for cross-examination

**Speculation:** The letter contains statements that are based on conjecture rather than factual evidence

**Argumentative:** The letter contains opinions and arguments rather than information.

**Misleading/ Prejudicial:** The letter contains information that could be misleading or unfairly influence the judge.

**Vague/ Ambiguous:** The letter's statements are unclear or open to multiple interpretations.

**Compound questions:** The letter contains multiple questions within one statement, asking that the court grant them special privileges. Defendant requests that the judge not deem admissions admitted without having to file a motion and requests a discovery conference while objecting to every one of Plaintiff's requests for mediation and discovery.

**And violates the Best Evidence Rule:** The content of the writing in the emails shared between the pro se plaintiff and the defendant's attorneys has been tampered with, which isn't being used to prove an event happened simply but instead manipulates the order of the messages to omit important information strategically and tactically.

When admissions are deemed admitted, the facts become conclusively established for the case. The defendant's letter attempts to circumvent this and introduce new arguments that impose prejudice against the plaintiff where a discovery conference precedes the defendant's filing as to how they will plead. The defendant's letter introduces prejudicial information intended to

influence the judge's decision, particularly as the judge had not been made aware of the materiality of the plaintiff's requests when discussed at the status conference. This attempt to communicate with the judge directly outside the regular legal process violates the court's rules. Within the letter, the defendants include potentially harmful information that could mislead the judge and affect decision-making, as they leave out valuable information about what was discussed at the status conference. The judge said the defendants needed to answer the plaintiff's requests at that time. Deeming the admissions admitted as final is the Court's order. Allowing the defendants to submit a letter contradicting this order undermines the court's authority and the process of obtaining valid and reliable information.



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Caitlin Weathers  
Pro Se Litigant

**Attorney for Defendant Houston Methodist Hospital, et. al.,**

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**Certificate of Service**

I certify that on May 11, 2025, a true and correct copy of Plaintiff Caitlin Weathers' Reply in OPPOSITION to Defendants' Response in Opposition to Default Judgment was served on all counsel and parties of record by the Court's ECF filing system by the Federal Rules of Civil Procedure.

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*Attorney in Charge*

A handwritten signature in black ink, appearing to read "Caitlin Weathers".

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Caitlin Weathers  
Pro Se Litigant